



FORM PTO-1083  
Mail Stop Amendment  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

*TFW*  
Docket No.: 5040.1003  
Date: August 29, 2005

In re application of: **Peter-Michael MERBACH et al.**  
Serial No.: 10/509,471  
Filed: 09/28/2004  
For: **METHOD AND APPARATUS FOR RECOGNITION OF BIOMETRIC DATA FOLLOWING RECORDING FROM AT LEAST TWO DIRECTIONS**

Sir:

Transmitted herewith is a **Supplemental Information Disclosure Statement (2 pages)** with PTO-1449 (1 page) and cited references in the above-identified application.

- ☐ Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.
- ☐ Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.
- ☒ No fee for additional claims is required.
- ☐ A filing fee for additional claims calculated as shown below, is required:

(Col. 1)		(Col. 2)		SMALL ENTITY		OR	LARGE ENTITY	
FOR:	REMAINING	HIGHEST		RATE	FEE		RATE	FEE
	AFTER	PREVIOUSLY	PRESENT					
	AMENDMENT	PAID FOR	EXTRA					
TOTAL CLAIMS	* Minus 20	=	0	x \$ 25	\$		x \$ 50	\$
INDEP. CLAIMS	* Minus 3	=	0	x \$100	\$		x \$200	\$
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$180	\$		+ \$360	\$
TOTAL: \$				OR		TOTAL: \$		

- \* If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

- ☐ Also transmitted herewith are:
  - ☐ Petition for extension under 37 C.F.R. 1.136
  - ☐ Other:
- ☐ Check(s) in the amount of \$ is/are attached to cover:
  - ☐ Filing fee for additional claims under 37 C.F.R. 1.16
  - ☐ Petition fee for extension under 37 C.F.R. 1.136
  - ☐ Other:
- ☒ The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
  - ☒ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
  - ☒ Any patent application processing fees under 37 C.F.R. 1.17.
  - ☒ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

*Thomas P. Canty*  
Thomas P. Canty, Reg. No. 44,856  
DAVIDSON, DAVIDSON & KAPPEL, LLC  
485 Seventh Avenue, 14<sup>th</sup> Floor  
New York, New York 10018  
Tel: (212) 736-1940  
Fax: (212) 736-2427

I hereby certify that the documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" with sufficient postage in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on 08/29/05  
DAVIDSON, DAVIDSON & KAPPEL, LLC  
BY: *Oliver Platz*  
Oliver Platz



5040.1003

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re: Application of: **Peter-Michael MERBACH et al.**

Serial No.: 10/509,471 Confirmation No.: 2207

Filed: 09/28/2004 Art Unit: 2621

For: **METHOD AND APPARATUS FOR RECOGNITION  
OF BIOMETRIC DATA FOLLOWING RECORDING  
FROM AT LEAST TWO DIRECTIONS**

Examiner: (not yet known)

Customer No.: 23280

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

August 29, 2005

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

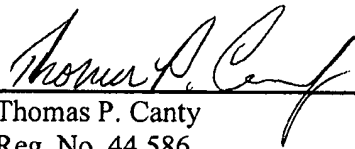
Sir:

In accordance with the provisions of 37 C.F.R. § 1.97, Applicants hereby make of record the documents listed on the accompanying Form PTO-1449 (1 page) for consideration by the Examiner in connection with the examination of the above-identified patent application. Some or all of the references may not constitute prior art under U.S. patent laws.

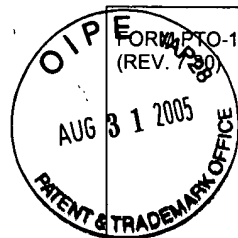
This Information Disclosure Statement is filed under 37 C.F.R. §1.97 (b), before the mailing date of a First Office Action, therefore no fee is believed due. In the event any additional fee is due in connection with this response or if any fee has been overpaid, the deficiency or overpayment should be charged to our Deposit Account No. 50-0552.

It is respectfully requested that the references cited in the accompanying PTO-1449 form be considered and made of record. It is respectfully submitted that the pending claims are patentable over all of the references made of record at this time.

Respectfully Submitted,  
DAVIDSON, DAVIDSON & KAPPEL, LLC

By:   
Thomas P. Canty  
Reg. No. 44,586

Davidson, Davidson & Kappel, LLC  
485 Seventh Avenue, 14th Floor  
New York, New York 10018  
(212) 736-1940


 FORM PTO-1449  
(REV. 7/99)

 U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO.

5040.1003

APPLICATION NO

10/509,471

## LIST OF PRIOR ART CITED BY APPLICANT

(Use several sheets if necessary)

APPLICANT

Peter-Michael MERBACH et al.

FILING DATE

09/28/2004

GROUP

2131

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	A01						
	A02						
	A03						
	A04						
	A05						
	A06						
	A07						
	A08						
	A09						
	A10						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
	A11	WO 93/16441	Aug. 19, 1993	WO-WIPO			In English	
	A12	DE 101 11 671	Oct. 31, 2001	DE-Germany			See Abstract	
	A13	DE 195 16 662	Nov. 14, 1996	DE-Germany			See Abstract	
	A14							
	A15							

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

	A16	
	A17	
	A18	
	A19	
	A20	
	A21	
	A22	
	A23	

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.